

1 LATHAM & WATKINS LLP  
2 Marvin S. Putnam (Bar No. 212839)  
3 *marvin.putnam@lw.com*  
4 Laura R. Washington (Bar No. 266775)  
5 *laura.washington@lw.com*  
6 10250 Constellation Blvd., Suite 1100  
Los Angeles, California 90067  
Telephone: +1.424.653.5500  
Facsimile: +1.424.653.5501

7     *Attorneys for Defendants*  
8     Netflix, Inc., and  
8     Netflix Worldwide Entertainment, LLC

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

12 FIONA HARVEY,

**Plaintiff,**

V.

15 NETFLIX, INC., and NETFLIX  
16 WORLDWIDE ENTERTAINMENT,  
LLC.

## Defendants.

|Case No. 2:24-cv-04744-RGK-AJR

**[PROPOSED] ORDER DENYING  
PLAINTIFF'S REQUEST FOR  
JUDICIAL NOTICE IN OPPOSITION  
TO DEFENDANTS' SPECIAL  
MOTION TO STRIKE**

Date: September 16, 2024  
Time: 9:00 a.m.  
Place: Courtroom 850

Hon. R. Gary Klausner

## **[PROPOSED] ORDER**

Having reviewed the August 26, 2024 Request for Judicial Notice (“RJN”) filed by plaintiff Fiona Harvey (“Harvey”) in opposition to Defendants Netflix, Inc., and Netflix Worldwide Entertainment, LLC’s Special Motion to Strike (“Motion”), together with all papers filed in support of and in opposition thereto, and the parties’ oral arguments, and being fully advised, the above-entitled Court hereby DENIES Harvey’s RJN on the grounds that (1) Harvey does not identify any facts within Exhibits 1-4 and 7-9 of the Levenson Declaration that she seeks to have judicially noticed, nor does she articulate any purpose for which these documents should be noticed and (2) Exhibits 1-4, 7, and 9 are irrelevant or improperly utilized for the truth of their contents. *See, e.g., Easton v. Wells Fargo & Co.*, No. 2:20-cv-06070-AB-RAO, 2023 WL 6194043, at \*4 (C.D. Cal. Aug. 18, 2023); *Capaci v. Sports Rsch. Corp.*, 445 F. Supp. 3d 607, 617 (C.D. Cal. 2020); *DalPoggetto v. Wirecard AG*, No. CV 19-0986 FMO (SKx), 2020 WL 2374948, at \*2 (C.D. Cal. Apr. 15, 2020); *see also Elliot v. Lions Gate Ent. Corp.*, 639 F. Supp. 3d 1012, 1022 (C.D. Cal. 2022); *Troy Grp., Inc. v. Tilson*, 364 F. Supp. 2d 1149, 1152 (C.D. Cal. 2005). In light of the foregoing, Plaintiff’s Request for Judicial Notice is **DENIED**.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_, 2024

Hon. R. Gary Klausner  
United States District Judge